

AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Jose Tony Canales-Velasquez

AKA: Marvin Ybarra

IAE YOB: 1981
HondurasUnited States District Court
Southern District of Texas
CRIMINAL COMPLAINT
FILED

MAR 18 2021

Case Number: M-21-0575-M

Nathan Ochsner, Clerk

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about March 17, 2021 in Starr County, inthe Southern District of Texas

(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Honduras in pursuance of law, and thereafter was found near Fronton, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Jose Tony Canales-Velasquez was encountered by Border Patrol Agents near Fronton, Texas on March 17, 2021. The investigating agent established that the defendant was an undocumented alien and requested record checks. The defendant claims to have illegally entered the United States on March 17, 2021, near Roma, Texas. Record checks revealed the defendant was formally Deported/Excluded from the United States on May 28, 2004, through San Antonio, Texas. Prior to Deportation/Exclusion the defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On October 3, 2003, the defendant was convicted of indecency with a child, sexual contact and sentenced to five (5) years probation.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA Matthew Redavid

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

/s/ Mickel Gonzalez

Signature of Complainant

March 18, 2021 8:09am

Mickel Gonzalez

Border Patrol Agent

Nadia S. Medrano, U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer